

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

DANNY OVERTON CRUSE

PLAINTIFF

v.

No. 05-2128

SHERIFF REED HAYNES, MARGARET  
LEWIS, JOSH ROSS, MATT HAMILTON,  
JAILER JUSTIN PHILLIPS, CHRIS MCCOY,  
and MEDICAL DEPARTMENT

DEFENDANTS

**ORDER**

Now on this 16th day of November 2006, there comes on for consideration the report and recommendation filed herein on October 23, 2006, by the Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas. (Doc. 33). The parties have not filed any objections to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Defendants' Motion to Dismiss Justin Phillips (Doc. 26) is GRANTED and all claims against Separate Defendant Justin Phillips are DISMISSED. The case will proceed against the remaining defendants.

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge